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CLEM-TRANS, INC.; GLORY CLEMONS-  
BROWN; GEOVANY MARTINEZ, MANUEL  
A. SOLORZANO; JOSE CASTRO;  
SALVADOR VILLALOBOS;  
and Counter-Defendant-in-Intervention JESSE  
CRUZ

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA, SOUTHERN DIVISION

JESSE CRUZ, an Individual; MARIA CRUZ,  
an Individual; GEOVANY MARTINEZ, an  
Individual,

Plaintiffs,

v.

DANNY DURBIN, an Individual;  
CHAMPION TRANSPORTATION  
SERVICES, INC. a foreign corporation;  
CHAMPION LOGISTICS GROUP, INC., a  
foreign corporation; DOES I through XX,  
inclusive; and ROE BUSINESS ENTITIES I  
through XX, inclusive,

Defendants.

LEXINGTON INSURANCE COMPANY, as  
Subrogee for Champion Transportation  
Services, Inc.,

Case No. 2:11-cv-00342-LDG-VCF

CONSOLIDATED WITH:

2:12-cv-00051-LDG-VCF

And

2:12-cv-01627-JAD-CWH

**DEFENDANTS CLEM-TRANS, INC.;  
GLORY CLEMONS-BROWN; GEOVANY  
MARTINEZ, MANUEL A. SOLORZANO;  
JOSE CASTRO; SALVADOR  
VILLALOBOS; AND COUNTER-  
DEFENDANT-IN-INTERVENTION  
JESSE CRUZ'S EMERGENCY MOTION  
FOR EXTENSION OF TIME TO SUBMIT  
SETTLEMENT DOCUMENTS**

Counter-Claimant/Intervenor,

v.

JESSE CRUZ, an Individual,

Counter-Defendant-in-  
Intervention.

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KAREN J. WILSON, Individually and as  
Independent Administrator of the Estate of  
LARRY A. WILSON, a Deceased Person ,

Plaintiffs,

v.

JESSE R. CRUZ, Individually and as Agent of  
Clem-Trans, Inc., a foreign corporation;  
GEOVANY MARTINEZ, Individually and as  
Agent of Clem-Trans, Inc., a foreign  
corporation; JOSE CASTRO, Individually and  
as Agent of Clem-Trans, Inc., a foreign  
corporation; SALVADOR VILLALOBOS,  
Individually and d/b/a Villalobos Trucking and  
as Agent of Clem-Trans, Inc., a foreign  
corporation; SALVADOR SOLORZANO,  
Individually and d/b/a SS Trucking, and as  
Agent of Clem-Trans, Inc., a foreign  
corporation; MANUEL A. SOLORZANO,  
Individually and d/b/a Manuel A. Solorzano  
Trucking, and as Agent of Clem-Trans, Inc., a  
foreign corporation; GLORY CLEMONS-  
BROWN, Individually and as Agent of Clem-  
Trans, Inc., a foreign corporation, URISTAS  
TRANSPORTS, INC., a foreign corporation  
MAS TRUCKING, INC., a foreign  
corporation; CLEM-TRANS, INC., a foreign  
corporation; MATHESON FAST FREIGHT,  
INC., a foreign corporation; MATHESON  
POSTAL SERVICES, INC., a foreign  
corporation; MATHESON TRUCKING, INC.,  
a foreign corporation; DEPENDABLE  
HIGHWAY EXPRESS, INC., a foreign  
corporation, Individually and as Successor-in-  
interest to Matheson Trucking Inc.; DOE(S)  
(INDIVIDUALS) II-X and ROE(S)  
CORPORATION(S) LIMITED LIABILITY  
COMPANIE(S) AND OTHER CORPORATE  
ENTITIE(S)) XIII-XX, inclusive,

Defendants.

JESSE CRUZ, an individual; MARIA CRUZ,  
an individual; GEOVANY MARTINEZ, an  
individual;

Plaintiffs,

v.

WABASH NATIONAL CORPORATION;  
DOES I through XX, INCLUSIVE; and ROE  
BUSINESS ENTITIES I through XX,  
inclusive,

Defendants.

**DEFENDANTS CLEM-TRANS, INC.; GLORY CLEMONS-BROWN; GEOVANY  
MARTINEZ, MANUEL A. SOLORZANO; JOSE CASTRO; SALVADOR VILLALOBOS;  
AND COUNTER-DEFENDANT-IN-INTERVENTION JESSE CRUZ'S EMERGENCY  
MOTION FOR EXTENSION OF TIME TO SUBMIT SETTLEMENT DOCUMENTS**

COME NOW DEFENDANTS CLEM-TRANS, INC.; GLORY CLEMONS-BROWN;  
GEOVANY MARTINEZ, MANUEL A. SOLORZANO; JOSE CASTRO; SALVADOR  
VILLALOBOS; AND COUNTER-DEFENDANT-IN-INTERVENTION JESSE CRUZ, by and  
through their attorneys of McCormick, Barstow, Sheppard, Wayte & Carruth LLP, hereby move this  
Court for an Order granting an extension of time to submit to the Court the Stipulation and Order  
dismissing Wilson v. Cruz, 2:12cv51-LDG-VCF, one of three consolidated matters.

**MEMORANDUM IN SUPPORT OF MOTION**

At the hearing of December 4, 2014, the parties discussed the settlement of all claims in  
Wilson v. Cruz as well as Lexington Insurance Company's counter-claim against Jesse Cruz. Counsel  
for the settling parties understood the Court to order that the parties must exchange settlement  
documents and submit the Stipulation and Order for Dismissal to the Court by December 18, 2014.  
The parties proceeding accordingly. However, when the Order on the December 4th hearing was  
issued by the Court on December 10, 2014, the deadline provided for accomplishing this task was  
December 12, 2014. Unfortunately, the parties are not able to file a Stipulation and Order for  
Dismissal today because the parties have not yet agreed upon the final language of the document and

1 the settlement check issued on behalf of the Clem-Trans-related defendants remains outstanding.  
2 Defendants, therefore, respectfully request that the deadline for filing the Stipulation and Order for  
3 Dismissal be extended to December 18, 2014.

4 DATED this 12 day of December, 2014

5 McCORMICK, BARSTOW, SHEPPARD,  
6 WAYTE & CARRUTH LLP

7  
8 By



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16 Attorneys for Defendants CLEM-TRANS, INC.;  
17 GLORY CLEMONS-BROWN; GEOVANY  
18 MARTINEZ, MANUEL A. SOLORZANO; JOSE  
19 CASTRO; SALVADOR VILLALOBOS;  
20 and Counter-Defendant-in-Intervention JESSE  
21 CRUZ

22 IT IS SO ORDERED.



23 UNITED STATES MAGISTRATE JUDGE

24 DATED: December 16, 2014  
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26  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this 12<sup>th</sup> day of December, 2014, a true and correct copy of **DEFENDANTS CLEM-TRANS, INC.; GLORY CLEMONS-BROWN; GEOVANY MARTINEZ, MANUEL A. SOLORZANO; JOSE CASTRO; SALVADOR VILLALOBOS; AND COUNTER-DEFENDANT-IN-INTERVENTION JESSE CRUZ'S EMERGENCY MOTION FOR EXTENSION OF TIME TO SUBMIT SETTLEMENT DOCUMENTS** was served via the United States District Court CM/ECF system on all parties or persons requiring notice.

By

  
Kristin Thomas, an Employee of  
MCCORMICK, BARSTOW, SHEPPARD,  
WAYTE & CARRUTH LLP

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